**Lesson 8 Teacher Rights and Freedoms**

This unit looks at four areas of teacher rights: the Free Speech Rights of teachers which are not absolute; the extent of the right to privacy via search and mental or physical exams; freedoms with regard to their exercise of religion; and the privilege against self-incrimination which does not extend to administrative questioning. A teacher’s legal relationship with the school board is governed on the constitutional rights of the staff member, the statutes governing conduct of the public school, and the contractual conditions of employment.

Topics to be covered:

* Under what conditions can a district restrict the free speech rights of the employee?
* Under what conditions does the employee speak as a private citizen?
* What is a matter of public concern?
* Speech and the *Connick* Rule
* Speech and the *Pickering* balance test
* Under what conditions can a work place be searched?
* Under what conditions can a district require a mental or physical exam of the employee?
* Conditions under which the district can restrict an employee’s free exercise of religion
* Does the 5th Amendment Self-Incrimination Clause extend to administrative hearings?

What you have to do:

* Come class prepared
* Read Chapter 15
* Class discussion

Assignments: Submit your 7th brief

References:

Pickering [www.oyez.org/cases/1960-1969/1967/1967\_510](http://www.oyez.org/cases/1960-1969/1967/1967_510)

[www.firstamendmentschools.org/freedoms/case.aspx?id=317](http://www.firstamendmentschools.org/freedoms/case.aspx?id=317)

Connick [www.oyez.org/cases/1980-1989/1982/1982\_81\_1251](http://www.oyez.org/cases/1980-1989/1982/1982_81_1251)

[www.firstamendmentcenter.org/news.aspx?id=15168](http://www.firstamendmentcenter.org/news.aspx?id=15168)

[www.freedomforum.org/templates/document.asp?...13651](http://www.freedomforum.org/templates/document.asp?...13651)